

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

In Re:

David T. Radosti,
Shannon E. Radosti

Chapter 7
Case No. 9:19-bk-00774-FMD

Debtor(s).
_____ /

TRUSTEE'S OBJECTION TO CLAIM OF EXEMPTIONS

**NOTICE OF OPPORTUNITY TO
OBJECT AND REQUEST FOR HEARING**

Pursuant to Local Rule 2002-4, the Court will consider the relief requested in this paper without further notice or hearing unless a party in interest files a response within 21 days from the date set forth on the attached proof of service, plus an additional three days for service if any party was served by U.S. Mail.

If you object to the relief requested in this paper, you must file a response with the Clerk of the Court at United States Bankruptcy Court, 801 N. Florida Avenue, Suite 555, Tampa, FL 33602, and serve a copy on the movant's attorney, Luis E. Rivera, II, P.O. Box 1026, Fort Myers, FL 33902, and any other appropriate persons within the time allowed. If you file and serve a response within the time permitted, the Court will either schedule and notify you of a hearing or consider the response and grant or deny the relief requested without a hearing.

If you do not file a response within the time permitted, the Court will consider that you do not oppose the relief requested in the paper, will proceed to consider the paper without further notice or hearing, and may grant the relief requested.

The Trustee, Luis E. Rivera, II, hereby objects to the claim of exempt property consisting of everything listed on Schedule C filed by the Debtor(s), except the annuity and 457(b) plan, for the following reason(s):

1. Trustee objects to Debtor, David T. Radosti's claim of exemption of the 2011 Mercedes ML 350 pursuant to Section 222.25(1), Florida Statutes, on the basis that Debtor has no ownership interest in the vehicle.

2. Additionally, Trustee objects to the value of the personal property, including the bank account(s), and will arrange an appraisal thereof to determine the exact amount of the

overage since he asserts the Debtors exceed their entitlement to a claim of exemption under Section 222.25(1) & (4), Florida Statutes and Article X, Section 4 of the Florida Constitution.

3. If the Court sustains the objection, Debtor may contact the Trustee to discuss purchasing the estate's interest in the Property.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 19, 2019, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system. I further certify that the foregoing was provided electronically or by U.S. Mail to: David T. Radosti, Shannon E. Radosti, 3825 Groton Court, Naples, FL 34112; Gregory A. Champeau, Champeau Law, P.A., 999 Vanderbilt Beach Rd., Suite 232, Naples, FL 34108; and U.S. Trustee, 501 East Polk St., Suite 1200, Tampa, FL 33602.

GRAYROBINSON, P.A.
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By: /s/ Luis E. Rivera II
Luis E. Rivera II
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